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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
- v - : 09 Cr. 700 (AKH)
DAVID G. FRIEHLING, :
Defendant. :

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PLEASE TAKE NOTICE that upon the accompanying memorandum of law, the
United States of America, by its attorney Preet Bharara, United States Attorney for the Southern
District of New York, will move this Court before the Honorable Alvin K. Hellerstein, United
States District Judge, at the United States Courthouse, Courtroom 14D, 500 Pearl Street, New
York, New York 10007, for an Order pursuant to Title 18, United States Code, Section
3663A(c)(3) finding that restitution is impracticable in the above-captioned case and that the
Government may proceed through the process of remission as authorized under the forfeiture
statutes, as well as for such other relief as the Court deems just and proper.

Dated: New York, New York
December 17, 2012

PREET BHARARA
United States Attorney
Southern District of New York

By: /s/ Matthew L. Schwartz
MATTHEW L. SCHWARTZ
Assistant United States Attorney